

Before the
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

In the Matter of

Protecting the Privacy of Customers of
Broadband and Other Telecommunications
Services

WC Docket Number 16-106

**Submitted on behalf of
Consumer Policy Solutions**

Consumer Policy Solutions¹ appreciates the opportunity to offer comment in the matter of protecting the privacy of customers of broadband and other telecommunications services.

When the Federal Communications Commission (FCC) adopted the broadband privacy rules in October 2016, regulations were formulated that offered consumers an incomplete and confusing online privacy protection. I encourage the FCC to stay the broadband privacy rules in order to provide an opportunity to develop balanced privacy rules for consumers' entire online experience.

Last year, I [wrote in FedScoop](#) to warn of the potential for this very confusion. I noted that “while some consumers may know about the possible FCC regulations governing how Internet Service Providers are required to safeguard personal customer information, most are not aware that the same rules will not govern other online companies and websites, including search engines, social networks, operating systems, and email.”

Consumers want and need a more consistent approach to privacy regulation that will match their online experience. Over the years, the Federal Trade Commission (FTC) has

¹ Consumer Policy Solutions is a firm centered on addressing the interests of consumers and the marketplace

managed and regulated the complex and ever-evolving world of online privacy. It has been the expert agency in charge of writing and enforcing online privacy for decades. For consumers, I noted last June, and still assert that “It makes sense to have regulations that result in transparent and easy-to-understand privacy rules, rather than rules that only apply to one segment of the internet, while giving the misleading impression of protection for all consumers.” I believe that “A unified approach to regulating privacy would help alleviate consumer confusion and allow rules to be applied consistently across the web.”

The process for developing privacy regulations should be through a multi-stakeholder process with FCC, FTC, and NTIA collaboration with consumer organizations, industry, academics, government and policy leaders, and privacy policy experts. Over the course of the past several years, the FCC has recognized the benefit of engaging a multi-stakeholder approach to develop disclosures and notices for consumers. The FCC Consumer Advisory Committee (CAC) led an effort of consumer and industry representatives to draft a broadband consumer disclosure, which was unanimously approved, to help consumers understand their options in the marketplace. The CAC used the same approach to draft best practices for consumer billing issues. A multi-stakeholder working group of the CAC is currently hard at work crafting a standard privacy notice. I have led all of these working groups and support the great work that has been accomplished.

These efforts point to the success of diverse parties and interests coming together for a common goal: consumers and a productive marketplace. I encourage the Commission to incorporate the multi-stakeholder process to assist with finding privacy solutions for consumers, and to continue working with the Consumer Advisory Committee as one of the great resources in this process.

Granting the privacy stay is an opportunity for the FCC and FTC to work together for online privacy protections for consumers. I urge the Commissioners to provide

consumers with a consistent approach to privacy and to avoid any confusion and potential impact on the competitive marketplace by voting to stay the broadband privacy rules.

Sincerely,

/s/

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